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OFFICE OF PETITIONS

In re Application of :
E. Neil Lewis, et al. :
Application No. 10/776,029 : **ON PETITION**
Filed: February 10, 2004 :
Attorney Docket No. S0001-002004 :

This is a decision on the petition under 37 CFR 1.137(b), filed by December 28, 2004, to revive the above-identified application.

The application became abandoned for failure to fully respond to a Notice to File Missing Parts of Nonprovisional Application mailed May 7, 2004. The notice required the basic filing fee, an oath or declaration under 37 CFR 1.63, a surcharge under 37 CFR 1.16(e) and an abstract of the technical disclosure in compliance with 37 CFR 1.72(b). While the filing fee, an executed declaration and the requisite a surcharge were timely filed with an appropriate petition for extension of time on December 6, 2004, applicant did not include an abstract of the technical disclosure in compliance with 37 CFR 1.72(b) within the time period.

The petition is found to comply with the requirements of 37 CFR 1.137(b). Accordingly, the petition is **GRANTED**.

The application is being referred to the Office of Initial Patent Examination (OIPE) for further review of the abstract filed December 28, 2004.

Telephone inquires related to this decision should be directed to the undersigned at (571) 272-3204. Telephone inquiries related to OIPE processing should be directed to their hotline at (703) 308-1202.

Sherry D. Brinkley
Petitions Examiner
Office of Petitions
Office of the Deputy Commissioner
for Patent Examination Policy